

FILED
Clerk
District Court

FEB - 8 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

UNITED STATES OF AMERICA,)	Criminal No. 04-00038
)	
Plaintiff)	
)	
v.)	NOTICE REGARDING
)	SENTENCING
ERIC JOHN TUDELA MAFNAS)	
and CHARLEY K. PATRIS,)	
)	
Defendants)	
_____)	


THE COURT has before it defendants' statement that this court lacks jurisdiction to continue with their sentencing because of the interlocutory appeal they have taken.¹ Plaintiff has filed a memorandum asserting that the court retains jurisdiction.

¹

Defendants have appealed the court's order denying their motion to dismiss the indictment against them as a post-conviction, pre-sentencing remedy for an alleged double jeopardy violation.

1 Because there is no motion properly before the court, and because the court
2 finds defendants' assertion that the court has been divested of jurisdiction by their
3 interlocutory appeal unpersuasive under the law and facts of this case, and to avoid
4 confusion and unnecessary delay, the court reiterates that defendants will be
5 sentenced on the dates previously set; that is, defendant Mafnas will be sentenced on
6 February 13, 2006, and defendant Patris will be sentenced on February 17, 2006.
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9 DATED this 8th day of February, 2006.
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13 ALEX R. MUNSON
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15 Judge
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